

JUDGE JAMES L. ROBERT

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

UNITED STATES OF AMERICA,	)	
	)	
<i>Plaintiff,</i>	)	CASE NO. 04-198JLR
	)	
v.	)	<b>STIPULATION AND ORDER</b>
	)	<b>CONTINUING MOTIONS FILING</b>
MICHAEL PETERS,	)	<b>DEADLINE AND TRIAL DATE</b>
	)	
<i>Defendant.</i>	)	
_____	)	

Plaintiff United States of America and defendant MICHAEL PETERS, by and through their respective undersigned counsel of record, hereby stipulate and agree to continue the motions filing deadline from January 4, 2006, to February 23, 2006, and the trial date from February 21, 2006, to April 11, 2006. This continuance is requested, and required in the interest of justice, for the following reasons.

This case charges the defendant with participation in a conspiracy to distribute controlled substances. The conspiracy is alleged to have ended in June, 2001. In addition, there are four substantive counts, one of which is alleged to have occurred on April 23, 1999, and three of which are alleged to have occurred on May 17, 1999. The indictment was returned on April 21, 2004, two days before the statute of limitations on the earliest substantive count was to expire. The defendant was arrested on December 13, 2005.

**STIPULATION AND ORDER CONTINUING  
MOTIONS FILING DEADLINE AND TRIAL  
DATE; CR04-198JLR - 1**

The case involves a large number of recorded telephone conversations from 1999. Transcripts of these recorded conversations have not as yet been prepared. The government is in the process of providing copies of the recordings to defense counsel, but that has not as yet been completed. Because the defendant has been detained, he can only listen to the recordings as permitted by the FDC and subject to the availability of the required equipment. That is often a time consuming process.

In addition, because of the age of the case, the defense investigation will be more time consuming in order to locate witnesses, etc.

Accordingly, the parties request a continuance of the motions filing deadline from January 4, 2006, to February 23, 2006, and of the trial date from February 21, 2006, to April 11, 2006. Defendant will file a Waiver of Speedy Trial through April 18, 2006.

DATED this \_\_\_\_\_ day of January, 2006.

RICHARD J. TROBERMAN, P.S.

By: s/ Richard J. Troberman  
RICHARD J. TROBERMAN  
WSBA #6379  
Attorney for Defendant  
Michael Peters

JOHN McKAY  
United States Attorney

By: s/ Tessa M. Gorman  
TESSA M. GORMAN  
Assistant U.S. Attorney

**ORDER**

Based upon the above stipulation of the parties, and for the reasons set forth therein, the Court finds that, pursuant to 18 U.S.C. sections 3161(h)(8)(A), (B)(i) and (ii), the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial, and that the period from February 21, 2006, through April 11, 2006, shall be excluded in computing the time within which the trial of this matter must commence. Accordingly,

IT IS HEREBY ORDERED that, subject to the defendant filing a Waiver of Speedy Trial, the motions filing deadline is continued from January 4, 2006, to February 23, 2006, and the trial date is continued from February 21, 2006, to April 11, 2006.

DATED this 5th day of January, 2006.

s/James L. Robart

---

JAMES L. ROBART  
UNITED STATES DISTRICT JUDGE